

REMARKS

Claims 21-49 are pending in the application. Claims 21, 38, and 48 are amended. Claim 49 is new. Reconsideration and allowance of the Claims is respectfully requested.

Claim Rejections under 35 U.S.C. § 102(e)

At page 2, the Office Action rejects Claims 21 and 23-48 under 35 U.S.C. §102(e) as being anticipated by Vathulya et al. (6297524). According to the Office Action, Fig. 3 of Vathulya allegedly shows a top wall of the elevation portion covered by an insulating layer.

Claims 21, 38, and 48, as presently amended, recite that the top wall of the elevation portion is directly covered by an insulating layer. The Assignee respectfully submits that Vathulya does not disclose these features.

In Vathulya, the elevation portions 32 are directly covered by one of layers L2, L3, and L4. According to Vathulya, layers L2, L3, and L4 are electrically conductive ring-shaped lines. The Assignee respectfully submits that an electrically conductive line cannot be an insulating layer. Accordingly, the Assignee submits that Vathulya does not anticipate independent Claims 21, 38, and 48. As such, the Assignee respectfully requests withdrawal of the rejections under 35 U.S.C. §102(e) against Claims 21, 38, and 48, and also dependent Claims 22-37 and 39-47 as they depend from Claims 21 and 38, respectively.

Claim Rejections under 35 U.S.C. § 103(a)

At page 7, the Office Action rejects Claim 22 under 35 U.S.C. §103(a) as being unpatentable over Vathulya et al. (6297524).

Claim 22 depends on Claim 21, which for the reasons argued above should be allowed. Accordingly, the Assignee respectfully requests withdrawal of the rejection under 35 U.S.C. §103(a) against Claim 21.

New Claims

Claim 49 is new and in part recites that the insulating layer is in between the top wall and the one of the first metallization plane and the second metallization plane that is not connected to the electrically conductive region of the second capacitance part. The Assignee respectfully submits that Vathulya does not anticipate these features.

In Vathulya, the top wall 32 of the electrically conductive region is in direct contact with the first metallization plane 22 and the second metallization plane 23. Layer 30, which the Office Action alleges is an insulating layer, is positioned above both the first metallization plane 22 and the second metallization plane 23. The alleged insulating layer 30 is not in between the top wall 32 of the electrically conductive region and either of the first metallization plane 22 and the second metallization plane 23. The Assignee respectfully submits that the top wall 32 is in fact connected to both the first metallization plane 22 and the second metallization plane 23. For at least these reasons, the Assignee respectfully submits that Vathulya does not anticipate claim 49. Therefore, the Assignee respectfully request allowance of Claim 49.

Conclusion

The Assignee believes the claims, as presently amended, adequately address the rejections in the office action. Accordingly, issuance of the patent is respectfully requested. Should the examiner deem a telephone conference to be of assistance in advancing the application to issuance, the examiner is invited to call the undersigned attorney at the telephone number below.

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